

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,) Criminal No. 18-150(1) (DWF/HB)
)
v. Plaintiff,)
)
MICHAEL HARI,) **DEFENDANT'S PRETRIAL MOTION**
)
 Defendant.) **FOR DISCLOSURE OF RESULTS**
)
) **AND REPORTS OF COMPUTER**
) **FORENSIC TESTING**

Michael Hari, through his attorneys, Reynaldo A. Aligada, Jr. and Shannon Elkins, hereby moves the Court for an Order directing the government to disclose the results and reports of any computer forensic testing. Fed. R. Crim. P. 16(a)(1)(F) provides that:

[u]pon a defendant's request, the government must permit a defendant to inspect and to copy or photograph the results or reports of any physical or mental examination and of any scientific test or experiment if:

- (i) the item is within the government's possession, custody, or control;
- (ii) the attorney for the government knows -- or through due diligence could know -- that the item exists; and
- (iii) the item is material to preparing the defense or the government intends to use the item in its case-in chief at trial.

The government has already provided to the defense forensic examination reports for seized computers and cellular telephones. However, pursuant to Rule 16(a)(1)(F), the defendant seeks disclosure of the results of any additional reports or any future forensic computer testing performed on any computer, cellular phone, tablet, or removable media, including flash drives and optical media.

Dated: July 18, 2019

Respectfully submitted,

s/ Shannon Elkins

SHANNON ELKINS
Attorney No. 332161
Attorney for Defendant
Office of the Federal Defender
107 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

s/ Reynaldo A. Aligada, Jr.

REYNALDO A. ALIGADA, JR.
Attorney No. 319776
Attorney for Defendant
Office of the Federal Defender
107 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415